



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331

<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

March 04, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

25 March 4, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**DELEGATE AUTHORITY TO NEGOTIATE AND
ENTER INTO A CONSTRUCTION, OPERATION, AND
MAINTENANCE AGREEMENT WITH THE UNION PACIFIC RAILROAD,
ALAMEDA CORRIDOR–EAST CONSTRUCTION AUTHORITY,
CITY OF INDUSTRY, AND COUNTY OF LOS ANGELES
FOR THE FAIRWAY DRIVE GRADE SEPARATION PROJECT
IN THE UNINCORPORATED COMMUNITY OF
ROWLAND HEIGHTS AND THE CITY OF INDUSTRY
(SUPERVISORIAL DISTRICTS 1 AND 4)
(3 VOTES)**

SUBJECT

This action is to authorize the Director of Public Works or her designee to negotiate and enter into a construction, operation, and maintenance agreement and any amendments between the Union Pacific Railroad, Alameda Corridor–East Construction Authority, City of Industry, and County of Los Angeles for the Fairway Drive Grade Separation project in the City of Industry and the unincorporated community of Rowland Heights.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that this activity is statutorily exempt from the provisions of the California Environmental Quality Act.
2. Delegate authority to the Director of Public Works or her designee to negotiate and enter into a construction, operation, and maintenance agreement and any amendments between the Union Pacific Railroad, Alameda Corridor–East Construction Authority, City of Industry, and County of Los Angeles for the Fairway Drive Grade Separation project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to authorize the Director of Public Works or her designee to negotiate and enter into a construction, operation, and maintenance agreement and any amendments, in a form approved by County Counsel, between the Union Pacific Railroad (UPRR), Alameda Corridor-East (ACE) Construction Authority, City of Industry, and County of Los Angeles to address the construction, operation, and maintenance of the proposed Fairway Drive Grade Separation project. The project will eliminate the UPRR at-grade crossing at Fairway Drive by constructing an underpass for Fairway Drive and will include the widening of the Fairway Drive and Walnut Drive intersection and the relocation of storm drains and sewer lines.

The UPRR requires that local jurisdictions enter into a construction, operation, and maintenance agreement to delineate the responsibilities of the railroad and the local jurisdictions during construction and following construction. ACE will transfer operation and maintenance of the grade separation to UPRR, the County, and the City following completion and acceptance of the project. ACE has already executed an agreement with the County authorizing ACE to obtain approvals and permits from UPRR on the County's behalf. This construction, operation, and maintenance agreement will delineate responsibilities for the project between UPRR, the City, and the County.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The project will enhance traffic flow, increase safety, and foster economic vitality for County residents, thereby improving the quality of life.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The construction, operation, and maintenance agreement calls for UPRR to provide maintenance for the retaining walls on railroad right of way that elevate the railroad tracks above Fairway Drive, while the County will maintain the underpass structure and be responsible for the eventual replacement of the retaining walls on railroad right of way, which is estimated to be 75 to 100 years hence. The estimated annual cost of the County's maintenance is \$5,000. The County's estimated replacement cost for the retaining walls on railroad right of way in 2014 dollars is approximately \$20,000,000. The necessary funds for maintenance will be included in future Road Fund budgets as part of the annual budget process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The construction, operation, and maintenance agreement will be approved, as to form, by County Counsel prior to execution by the Director of Public Works or her designee.

On April 11, 2000, the Board approved Agreement 72680 between the County and ACE regarding the design and construction of the project. ACE has completed the design of the project.

The proposed construction, operation, and maintenance agreement will delineate the responsibilities of the UPRR, ACE, City, and County for the project. Following completion and acceptance of the project, UPRR will maintain the track, retaining walls on railroad right of way, and the underpass

bridge superstructure. The County will maintain the underpass bridge substructure, pump station, and the portion of the roadway and landscaping in the unincorporated community of Rowland Heights. The City will perform graffiti removal throughout the project, vegetation control adjacent to the retaining walls and structures, and maintain the portion of the roadway and landscaping within the City limits. The County will also replace the retaining walls on railroad right of way at the end of its useful life or in the event of catastrophic failure due to unforeseen events.

Separately, the City and County will negotiate the cost sharing for the maintenance of the underpass bridge and pump station. Prior to acceptance by the County, ACE will maintain the proposed improvements. The County is required to coordinate with UPRR when there will be major maintenance, repair, or replacement on its portion that affects railroad operations.

ENVIRONMENTAL DOCUMENTATION

This project is statutorily exempt from the provisions of the California Environmental Quality Act pursuant to Section 15282(g) of the California Environmental Quality Act Guidelines. This exemption provides for any railroad grade separation project which eliminates an existing grade crossing or which reconstructs an existing grade separation.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended action will improve the quality of life for County residents traveling in the San Gabriel Valley through enhanced safety, increased mobility, and improved air quality by facilitating the construction, operation, and maintenance of this railroad grade separation.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Programs Development Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTW:pr

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office